App. F. IX-4

1949-50.
(CB)

File No. 421-G

Serial Nos. 1, 2

Previous References.
CB 117-62-G S.G.)
CB 68-49-1, 2
CB 24-48-1G
CB 67-46-1, 2
Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2

Part B for

SUBJECT

Representation of Sri E. V. Ganapathi Iyer Director of Industries & Commerce for grant of Consolidated daily Allowance.—

D. 27.10.50

NW 10866/CB

To

Sri E. V. Ganapathi Iyer. BSc
Commissioner on Special
Duty. Bangalore

CB 23/11/50

4458/CB
GRIVIKS

(Submitted to Minister, Fin & Industries)

3832
FL

dated 6th March 50.

(1) In Govt notification No. 11755/C.B. 307-49-1 P2436 49-50 posting me as Director of Industries and Commerce in Mysore, orders have not been made regarding the salary to be drawn by me. As my permanent substantive appointment is as Inspector-General of Police, which carries a pay of Rs 1400/-, normally for the special appointment (C.O.D) as Director of I & C, I am entitled under the M.S.R to a duty allowance of not exceeding 1/5 of the pay of the appointment viz. Rs 280/- p.m. The charge of Director of I & C involves, besides specialised experience and training, indispensable and constant travelling within the city area to visit factories like the electric and porcelain factories and others for which no t.a. is admissible and a duty (conveyance) allowance has to be specially sanctioned. In the case of other appointments like Commissioner of Income tax, Director of Food Supplies Comm^r of Economic development etc. Govt have sanctioned a duty allowance of Rs 200/- p.m either separately as such or as Consolidated Salary. In respect of the appointment of Additional Director of I & C, Govt have sanctioned for the officers of the grade of the duty charges posted to that charge a duty allowance of Rs 200/- in every case. As the charge of Director of I & C is a heavier one with greater responsibilities and travelling within city limits in addition to specialised knowledge, I request that Govt may be pleased to sanction a Consolidated duty allowance of at least Rs 250/- p.m to me in the appointment of Director. I may mention that even as Govt are aware I shall suffer considerable loss of emoluments which I have drawn for more than the last two years. As I have to draw my salary in the current month, I request that very early sanction of Govt be kindly accorded.

Bangalore 20/3/1950

4) For Secy: I suppose this is in order. H.C.D 20/3/50

FINANCIAL SECRETARY * GOVT. OF MYSORE * 21 MAR 1950

3) C.B. and SID to kindly note. S'T 21.3.50

For Secy C.B 21/3/50.

GENERAL & REVENUE SECRETARIAT * CONFIDENTIAL BRANCH * 22 MAR 1950

(4) Dealt with reference to paras 1 to 3 of the note.

(5) The question of revision of allowances is being taken up as a General Question along with the question of increasing the number of posts in the Cadre of D~~S~~.C. This may perhaps await orders on the above file. ~~The representation~~ Translation

(6) The representation of Sri V. Puttaranga-Swamy ~~work~~ Dy Comr dealing only as General Manager, Mysore Govt. Road Transport Deptt, making a similar request for the same reasons, has been ordered to be ~~held~~ over (Vide linked file — Para 16)

bz 22/4/50

Sri 24.4.50. (3) The question of increasing the no of officers drawing a pay of Rs 1400 & upwards is separately under consideration and the matter has been ordered to be disposed of at a meeting of the Council. This list does not ~~also~~ contain the post of Dir of Ind & Com.

8) Sri E. V. Ganapathi Ayer is a permanent D.C. of Police drawing a pay of Rs 1400 & upwards. On his return from leave he was posted as Dir of Ind & Com, which was then vacant. The post of Dir of Ind & Com carries a grade pay of Rs 1000 - 50 - 1200 and Sri Ganapathi

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Sri Ganapathi Iyer who is an officer on a substantive pay of Rs 1400/- is now holding it.

9) The question of allowances to officers of all grades is to be reviewed shortly by the Council & individual cases may perhaps be taken up only after a decision is taken by Council on the general principle to be followed.

Chief Secy)

H.M.R
25/4/50

CHIEF SECRETARY
827
25 APR 1950
GOVT. OF MYSORE

10) Please note on merits on the following points. If there is no case at all, what is the use of saving up this case for consideration along with other cases?

a) Is the officer, merely because he holds the substantive appmt. of D.C.P. entitled to deputational allce. when posted to post of Dir. I.P.C.? His personal pay is Rs 1400/- and the pay of Dir. I.P.C's post is lower, at Rs 1000 - 50 - 1200.

b) What were the grounds on which allowance of Rs 200/- were issued for the various posts mentioned by Mr. Ganapathi Iyer? In the case of the Comm. of I.T., it was because of extra work added on, viz., Sales Tax, which had to be newly introduced, and

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which required a lot of original work both on administrative as well as legal side. Do the reasons (if any) governing the cases of allowances in such cases, apply to the present case? It may well be that these allowances themselves may not be on quite justifiable grounds, in which case, the Commissariat should be not to add one more to such cases, but to do away with all of them.

c) How many cases are there of officers being given allowances because they have to visit a number of Concern offices in Bangalore, frequently? This should not be perhaps a reason for grant of an allowance, as it could apply to almost every No. of Deptt. or Senior officer in Bangalore.

d) That Sri E.V.C. Iyer was getting a salary of Rs 2000/- in the Indian Institute of Science for a few years is entirely a fortuitous circumstance, and it should have no bearing on what he should draw, on Deputation & his permanent basis. He is more fortunate to have the people similarly circumstanced, in that he was able to draw so high a pay that

Deputation allowance to Sri V. Ganapati Iyer, Dy. Supdt. Govt. Farm

General and Revenue Secretariat

File No. 4458/CB of 1941
1615

Serial No.

it had no comparable scale at all in the State Service; but he cannot urge that fact into the question of consideration of his permanent pay, nor should it have any bearing on such a determination of his pay here. Our officers' pay & allowances shd. depend only on two factors, — his personal pay & pay scale, and the pay & allowances attached to the post he holds, I think.

27.4.50.

27.4.50.

Representation of Sri SV Ganapathi Iyer, Dir. of Ind Comm. - Deputation allowance

File No. of 194 GB/4458/615

General and Revenue Secretariat

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12) Instructions with reference to Chief Secretary's instructions at para 10 supra. The point at issue is whether Sri SV Ganapathi Iyer's present charge as Dir of Ind Comm can be regarded as on deputation so as to entitle him to the deputation duty allowance at 1/5 of his pay within the meaning of the term "deputation allowance" under the M.S.R. duty

13) A deputation allowance is an allowance given in addition to pay or salary, to an officer deputed on special temporary duty when such duty involves a decided increase of work or responsibility in comparison with the duties of this regular appointment (Art 16 M.S.R)

(14) An officer is said to be on deputation when he detached on special temporary duty for the performance of which there is no permanent or temporarily sanctioned appointment etc. An officer on deputation on special duty may be allowed to draw the pay or salary which he was drawing at the time of his deputation or which he would have drawn from time to time if he had not been so deputed; provided that an officer who while on deputation is promoted to an appointment outside the regular line, shall

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20) Sri K. Chickanarayana has been permitted to draw a duty allowance of Rs 200/- PM as Additional Director of Industries & Commerce. Sri Chickanarayanswamy was posted to this as Dy Comr III class, charge on his own grade pay viz Rs 800/-. On his representation that his emoluments may be raised to Rs 1000/- as in the case of his predecessor Sri JB. Nallanadya, the question was gone into and it was decided to give him a duty allowance of Rs 200/- PM. This was in GO No. 7002-7004/CB 60-49-9 dt 4/1/50 (vide discussions in paras 4 to 19 of the note in CB collection 60-49)

21) No duty only allowance is being given to the Dir of Food Supplies as stated in the representation.

22) To quote some more instances Sri B.S. Raghavendra Rao was given a duty allowance of Rs 200/- PM as full time Economy Officer, the duties of which post being of special temporary nature lasting till the date of his supersannuation (vide GO of 21/4/49)

G'

Sri JB. Nallanadya is given a DA of 200/- PM in addition to his grade pay as Dy Comr bringing the total emoluments to Rs 1000/- PM for the combined charge of the duties of Comr for Economic Development and planning, Dir of Statistics, Census Comr for Mysore. Etc.

NOTE—Contn. Sheet

DA to Sri SV Ganapathi Iyer — Dir of Ind Finance

File No. 44087/615/CD of 195 . | General and Revenue Secretariat

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23) Sri M. K. Athayatha is also given a DA of Rs 200/- P.M in addition to his grade pay as Dy Comr for the combined charge of the duties of the Commissioner of Food Production and Ex-Officio Controller of Civil Supplies (G.O dt 9/9/43) 'g'

24) When Sri B. G Athavarai Mudaliar was appointed as Dir of Industries & Commce in addition to his own duties as Dir of Industrial planning and Comr of Labour, his pay was fixed at Rs 1200/PM in grade 1000-20-1200 and he was given in addition a duty allowance of Rs 200/- (vide G.O dt. 18/8/43). When his pay as Dir of Ind & Commce was raised to Rs 1400/- and made personal to him, the duty allowance of 200/- PM granted to him in the GO dated 18/8/43 was discontinued. 'N'

25) It is thus seen that duty or deputation duty allowances are given to officers for specific reasons, namely (1) where an officer is posted to take duties of special temporary nature (2) where an officer holds two or more charges involving additional responsibility and work and (3) where the emoluments of an officer nominated to an appointment outside the regular line is less than Rs 1400/- although the duties he is called upon to perform are onerous and arduous.

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x x x

"Retrenchment Committee of 1931 examined this question in considerable detail ..... and observed that any difficulty felt was not so much in respect of the general principles to be observed in this behalf as in the strict and consistent application of these principles to individual cases and that unless the rules framed are comprehensive and are also strictly and consistently applied, anamolies and even abuses are apt to appear ..... A very large number of allowances of various kinds are not always referable to clear cut and intelligible principles and occasionally present inexplicable diversities in rates and amounts."

x x x

"Article 49 (A) of Mysore Service Regulations lays down that unless in any particular case it be otherwise distinctly provided, the whole time of a public officer must be held to be paid for by the State and he may be employed in any manner recuired by proper authority within his own branch of duty without claim for additional remuneration ..... The Retrenchment Committee felt that the pay or salary of an officer must be deemed to have been fixed after taking due account of the nature of the several duties that may be expected to be normally discharged by a holder of that office and must also be understood to cover a certain amount of variation in the nature of the duties or its arduousness or both and that extra allowances are not therefore contemplated merely because an officer happens to be posted to a more arduous charge or to be entrusted with additional duties unless the change involved decidedly heavier responsibility or more than reasonably a day's work. They also emphasised that officers belonging to a general cadre

NOTE—Contn. Sheet

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are bound to serve in any appointment borne on the cadre to which they may be drafted without claim to an allowance and accordingly an officer of one department transferred to or lent for employment within his branch of duty would not be entitled to any allowance."

xxx xxx xxx

"These principles may be accepted even now and additions to salary regulated accordingly."

x x x

"As per Article 15 of Mysore Service Regulations, duty allowance is given in consideration of (a) special arduous nature of duties or of (b) increased work or responsibility or (c) for the discharge of the duties which do not properly belong to his office or for which there is no sanctioned appointment.

x x x

"Ordinarily as opined by the Retrenchment Committee of 1931, mere change of appointment or work in a headquarters office or in the Secretariat by itself ought not to support the grant of a duty allowance. No allowance need therefore be given to an officer unless there is a decided addition to work entailing more than a reasonable day's work or he is specially employed on arduous work entirely outside his normal duties.

x x x

"The conditions to be satisfied for eligibility to a duty allowance are clearly laid down in Article 67 of Mysore Service Regulations. An officer can be on deputation only when he is detached on special temporary duty for the performance of ~~for~~ which there is no permanently or temporarily sanctioned appointment and even in case of such deputation an allowance will be admissible only if the special

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an appointment which has been in existance fom a long time and which became vacant with the appointment of Sri R. Ramakrishna as Gen. Manager, Mysore State Railway. Consequently this appointment is not a temporary appointment nor was it intended to serve any special object which the Govt had in view. While the pay of the post of the I. G. of Police is fixed at Rs 1400/-, the post of Dir, Ind & Com. carries the grade of Rs 1000-50-1200. The Economy officer's report says that the Retrenchment Committee of 1931 felt that the pay or salary of an officer must be deemed to have been fixed after taking due account of the nature of the several duties that may be expected to be normally discharged by a holder of that office and must also be understood to cover a certain amount of variation in the nature of the duties or its arduousness or both. If this view is accepted it is apparent that the duties attached to the post of I. G. of Police which carries a pay of Rs 1400/, are more onerous and ardous than those attached to the post of Dir of Ind & Com which carries a less pay viz Rs 1000-50-1200.

NOTE—Contn. Sheet

Serial No.

In view of the foregoing, the question of grant of deputation (duty) allowance to Sri S V. Ganapathi Iyer as Dir of Ind Com does not appear to arise.

36) The appointment of Dir of Ind Com is one having jurisdiction over the State and his duties are not confined to Bangalore city only. For journeys performed outside the headquarters beyond five miles, the officer gets travelling allowance. No allowance is however admissible for journeys made within a radius of five miles round about the headquarters. Sufficient material on these points is not available and therefore it is not possible to assess the amount of travelling made and the expenditure involved in undertaking tours. Besides there are several other Hds of Depts who are required to tour within the city area at least as much as the Dir of Ind Com, if not more. and they too would prefer a claim for grant of Conveyance allowance. It is therefore not possible to grant any Conveyance allce to Sri Ganapathi Iyer.

37) The fact that he was getting a pay of Rs 2000/- pm as Dir of the Indian Institute of Science, cannot

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cannot be adduced as a ground for the grant of higher emoluments in Mysore Service.

38) In the circumstances explained above there appears to be no case for the grant of ~~an~~ consolidated allowance of Rs 250/- from to Sri Ganapathi Iyer. ~~It is proper~~ ~~necessary to await~~ The decision that may be taken on the question of revision of allowances, may be awaited if considered necessary.

Chief Secy) 9.5.50

39) As para 10. This matter has been dealt with in a very, a heady, and the manner of dealing with This question has also been indicated. It may be added that the views of the Retrenchment Committee of 1931, to which above in the two typed paragraphs (vide para 30) are entitled to weight. Consideration only these principles has been followed invariably in regard to all cases subsequently arising, there would not be the need to consider these questions now. Unfortunately, there have been very many departures, and it is not possible

CHIEF SECRETARY 10 MAY 1950 1316 GOVT. OF MYSORE

Note.—Contn. Sheet.

Serial No.

To
find out and lay definitely what
the policy was, or line of reasoning
underlay the grant of allowances
in various cases.

4d) In certain cases they have
been granted & in certain others
turned down. In the case of some
officers, without even their asking
for it, it has been granted, in
certain others it was granted after
a claim. In case of others who are
doing equally or even more arduous
& responsible work, the question has
not been taken up at all. It is
this differential & individual
consideration that has given room
for some amount of discontent
& frustration amongst officers,
and the case of Sri E.V. Ramaprasad
Iyer would per haps not have
come up at all but for the
existence of "precedents".

4f) It is therefore suggested that
all these cases be reviewed, and
all duty, deputation &c. allowances
be abolished, and, if necy. the
scales of the Cadres of HQrs &
Dept. & DC's be increased.
Proposals on this behalf are

Grant of Duty allowance to Sri SV Ganapati Iyer, Dy. Sec.

C.B. 4458 615

842

47) The grn. of allowances in general has to be taken separately. I am afraid there cannot in the very nature of things be any hard and fast rule. Much depends on the nature & extent of work. It may be tackled separately as

48) As re Sri Ganapathi Iyer's case I need hardly say that we have not given any allowances – Less D'Souza, M.S. Ramachandra Rao, & others.

Sd/- C.D.
13/7/50

CHIEF SECRETARY
13 JUL 1950
2113
GOVT. OF MYSORE

C.D. 13/7/1950

13.7.50

13/7/50

49) Subject: The collection bearing with appointment of Sri P.G. D'Souza and M.S. Ramachandra Rao as Dy of Secs have been destroyed from the Civil lists corrected upto July 1938 Sri M.S. Ramachandra Rao it is seen that was not in receipt of a D.A. of Rs 100/- in addition to his grade pay of Rs 800/- as Dy Secy III class. Sri P.G. D'Souza was given his grade pay Rs 1600/- as Dy of Secs + Com and no D.A given to him (vide Civil list corrected upto July 1928). Janab S. Abdul Wajid, D-S II Class was given Dy of Secs grade, given his grade pay of Rs 1200/- plus a D.A of Rs 100/- (vide civil list corrected upto July 1936)

12/7/50

675/50 Grant of duty allowance to Sri E.V. Ganapathi Iyer as Director of Industries and Commerce.

50) Particulars of the pay and allowance drawn by Officers posted as Dir. of I. & C. since 1920 may be called for from the A.G. if approved.

17.7.50.

51) G.O.no. Fl 444-6-S.A 2-34-1 dated 13/7/34 is for perusal (flag 'F'). It is seen that Dy Comrs posted as Dir of Ind & Comce would get Allowance be given their grade pay plus a duty allowance of Rs 100/- p.m.

52) Refer Director of the Minister for Finance and Industries at para 48 of the note.

21/7/50

53) Sri E.V. Ganapathi Iyer is a permanent officer on a pay of Rs 1400/-. Refer para 48.

21.7.50

Chief Secy)

CHIEF SECRETARY 3683 22 JUL 1950

REVENUE SECRETARIAT

21/JUL/1950

54) 22-7-50.

Minister for I. & C.
i/c Chief Minister.
Minister Finance Secy
W/s.

22/7/50

55) The files now put up merely support the view I have already taken. It is seen that no previous Dir of I & C drawing a pay of Rs 1400/- was given any duty

C. 215/50-51.

Extract from the Proceedings of the 76th *Meeting of the Council of Ministers held at Bangalore on* 15th October *19*50.

SUBJECT:

Grant of a consolidated duty allowance to Sri. E.V. Ganapati Iyer, when he was Director of Industries & Commerce.

OPINION OF THE COUNCIL.

Council is of opinion that no duty allowance need be sanctioned.

Sd. K.Chengalaraya Reddy,
CHIEF MINISTER.

For further action.

C.B.)

16/10
17.10.50

"EXTRACT"

Chief Secretary to Government.

Duty allowance to Sri SV Ganapathi Iyer when he was Dist of Govt Examn

615

EB

C. 215/5051.

Submit a draft Ltr for approval

Issue
sma
26/10/50

by
21/10/50

24

24.10.50.

Issued no: 10844/EB of 27/10/50 rejecting. B.

NOTED AND RETURNED

C.B.

27.10.50.

27.10.50.

C.270/50-51.

COUNCIL NOTE

KmR
5.8.50.

Subject: Grant of a consolidated duty allowance to Sri.E.V.Ganapathi Iyer, when he was Director of Industries and Commerce.

*****

Sri.E.V.Ganapathi Iyer, Inspector General of Police, permanent, was posted as Director of Industrird and Commerce in Notification No.11755/C.B.307-49-1 dated 6th March 1950. As Inspector General of Police his substantive pay is Rs.1400/-. He has represented that he may be given a consolidated duty allowance of Rs.250/- per mensem as he has been posted on other duty to a special appointment outside the cadre of Deputy Commissioners and Heads of Departments held by Civil Service Officers.

The merits of the case were examined, including the question of allowances generally, and it was suggested that there was no case for the grant of any allowance. This was concurred in by the Finance Department. (In extenso in the file, not reproduced here).

When the case was put up to the Minister for Finance and Industries, he minuted as follows:-

"The question of allowances has to be tackled separately. I am afraid that there cannot in the very nature of things be any hard and fast rule. Much depends on the nature and extent of work.

As regards Sri.Ganapathi Iyer's case, I would like to know whether the Civilian Directors in the past were not given any allowances - Sris D'Souza, M.S. Ramachandra Rao and others".

It is seen that no previous Civil Service Officers, posted as Director of Industries and Commerce drawing a pay of Rs.1400/- (~~Sri.P.G.D'Souza~~ Vide Sri P.G.D'Souza.) was given any duty allowance. The two recent cases of Sris.J.B.Mallaradhya and K.Narayanaswami (posted as Additional Director and granted Duty Allowance of 200/- each) were departures.

When the place of Director of Industries and Commerce was held by Officers of the rank of Deputy Commissioners (Sris.M.Ramachandra Rao & S.Abdul Wajid) they were only given a duty allowance of Rs.100/-.

The Hon'ble Minister for Finance and Industries and in-charge Chief Minister has minuted as below:-

"Allowance is a Council matter, I think. This may therefore be considered at a Council Meeting. The matter is simple and the Council Note need also be so".

The case is for consideration at a meeting of the Council.

Sem. Ramakrishnaiya
Chief Secretary to Government.

Council File No. C. 2/5/50-51.
For Consideration
at a Meeting of Council
on
5.8.50.

Draft Council Note.

SUBJECT: Grant of a consolidated duty allowance to Sri E.V.Ganapathi Iyer, when he was Director of Industries and Commerce.

Sri E.V.Ganapathi Iyer, Permanent Inspector General of Police, was posted as Director of Industries and Commerce in Notification No.11755/ C.B. 307-49-1 dated 6th March 1950. As Inspector General of Police his substantive pay is Rs.1400/-. He has represented that he may be given a consolidated duty allowance of Rs.250/- P.M. as he has been posted on other duty.

The merits of the case were examined, including the question of allowances generally, and it was suggested that there was no case for the grant of any allowance. This was concurred in by the Finance Department (

When the case was put up to the Minister for Finance and Industries, he minuted as follows:

"..... I am afraid that there cannot in the very nature of things be any hard and fast rule. Much depends on the nature and extent of work.

As regards Sri Ganapathi Iyer's case, I would like to know whether the Civilian Directors in the past were not given any allowances - Sris. D' Souza, M.S.Ramachandra Rao and others."

2.....

Civil Service Officers, posted

It is seen that no previous Director of Industries and Commerce drawing a pay of Rs.1400/- (⊗) was given any duty allowance. ~~Except for the two~~ recent cases of Sri J.V.P. & K. Narayanaswami (posted as Addl. Dist. & Sessions Judge, ~~and~~ posted Dt. of ~~and~~ each were departures.

When the place of Director of Industries and Commerce was held by Officers of the rank of Deputy Commissioners (⊗), they were only given a duty allowance of Rs.100/-.

The Hon'ble Minister for Finance and Industries and in-charge Chief Minister has ~~noted~~ minuted as below:-

"Allowance is a Council Matter, I think. This may therefore be considered at a Council Meeting. The matter is simple and the C.N. need also be so."

The case is for consideration at a Meeting of the Council.

31/7

Chief Secretary to Govt.

29.7.50.

29.7.50

⊗ Names:
Sri P. G. Dr. Gunja

⊗ — names.
1) Sri P. G. Dr. Gunja.
2) " M. Ramakrishna Rao
3) " S. Azeez Wajid.

Date 27.10.1950

No.10864/CB.

Sri.E.V.Ganapati Iyer,B.Sc.,
Commissioner on Special Duty,
Old Public Offices, Bangalore.

With reference to your representation dated the 20th March 1950, I am directed to state that Government regret that your request for the grant of a duty allowance for the period you held the post of Director of Industries and Commerce cannot be complied with.

Yours faithfully,

27.10.50

Chief Secretary to Government.

LC/2